

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

CLERK: *M. Sant*

UNITED STATES OF AMERICA

vs.

CASE NUMBER.: CR502-8

TONY LORENZO TAYLOR

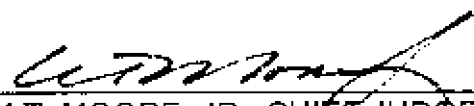
ORDER

On March 14, 2005, the Magistrate Judge issued a Report recommending that Taylor's "Writ Of Habeas Corpus Ad Subjiciendum, For Release From Unlawful Confinement" be dismissed. After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed.

In his Objections, Taylor contends that his filing should not have been construed as a motion filed pursuant to 28 U.S.C. § 2255. A review of the record reveals that although the Government urged the Court to construe Taylor's filing as a time-barred § 2255 motion, the Magistrate Judge declined to address the filing as a § 2255 motion. Rather, the Magistrate Judge concluded that the filing was more appropriately construed as a petition filed pursuant to Rule 60(b) of the Federal Rules of Civil Procedure.

Taylor's "Writ Of Habeas Corpus Ad Subjiciendum, For Release From Unlawful Confinement" (Dkt. No. 56) is **DISMISSED**. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 16th day of May, 2005.


WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

United States District Court
Southern District of Georgia

United States of America

JUDGMENT

v.

CASE NUMBER: CR502-8

Tony Lorenzo Taylor

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that in accordance with the Court's order dated May 16, 2005 adopting the Report and Recommendation of the Magistrate Judge; and **DISMISSING** Defendant's Writ of Habeas Corpus Ad Subjiciendum, for Release from Unlawful Confinement. Judgment of Dismissal is hereby entered this date.

E. O. D.

5-17-05
DATE

[Signature]
INITIALS

5-17-05
Date

Scott L. Poff
Clerk

[Signature]
(By) Deputy Clerk

United States District Court
Southern District of Georgia

UNITED STATES OF AMERICA

vs.

Tony Taylor

CASE NO. CR502-8

The undersigned, a regularly appointed and qualified deputy in the office of this Clerk of this District, while conducting the business of the Court for said Division does hereby certify the following:

- 1 Pursuant to instructions from the court, and in the performance of my official duties, I personally placed in the U.S. Mail a sealed envelope bearing the lawful frank of the Court, and properly addressed to each of the persons, parties or attorneys listed below;
and
2. That the aforementioned envelope(s) contain a copy of the documents known as Order dated 5/16/05, which is part of the official records of this case.

Date of Mailing: 5/16/05

Date of Certificate: 5/16/05

SCOTT L. POFF, CLERK

By _____
JGB

NAME:

1. Tony Taylor, 2680 Hwy 301 South, Jesup, GA 31599
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

Cert/Copy

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Ray Stalvey |
| <input type="checkbox"/> | <input type="checkbox"/> | Cindy Reynolds |